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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,327	04/08/2004	Nicholas Leavy	CIS03-67(8487)	8517
47654 7590 09/26/2007 BAINWOOD HUANG & ASSOCIATES LLC 2 CONNECTOR ROAD WESTBOROUGH, MA 01581			EXAMINER OKORONKWO, CHINWENDU C	
			ART UNIT 2136	PAPER NUMBER
			MAIL DATE 09/26/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/820,327

**Applicant(s)**

LEAVY ET AL.

**Examiner**

Chinwendu C. Okoronkwo

**Art Unit**

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20040416</u>  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

1. For the record, the Examiner acknowledges that no priority claim has been made in regards to this application.

### ***Information Disclosure Statement***

2. For the record, the Examiner acknowledges that the IDS submitted on 08/16/2004. It has been received and considered.

### ***Oath/Declaration***

3. For the record, the Examiner acknowledges that the Oath/Declaration submitted on 04/08/2004 has been received and considered.

### ***Drawings***

4. For the record, the Examiner acknowledges that the Drawings submitted on 04/08/2004 have been received and considered.

### ***Specification***

5. For the record, the Examiner acknowledges that the Specification submitted on 04/08/2004 has been received and considered.

6. Pursuant to USC 131, claims 1-49 are presented for examination.

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7. Claims 1-49 are pending.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama et al. (US Patent No. 5,832,210).

Regarding claims 1, 9, 10, 18, 26, 34 and 42, Akiyama et al., discloses a method, apparatus, computer system, computer readable medium storing a computer program and a computer data signal for blocking attacks on a computer network, comprising: receiving original packets and corresponding retransmit packets from a network, wherein: each said original packet and corresponding retransmit packet belong to a flow (Figures 2, 6 and 7); and each said original packet and corresponding retransmit packet has a plurality of non-mutable field values (col. 11 lines 16-29); hashing said non-mutable field values of each said original packet to produce a validation signature of each said original packet (col. 11 lines 46-67 and col. 12 lines 1-42 and Figure 5); hashing said non-mutable field values of each said corresponding retransmit packet to produce a test signature of each.

said corresponding retransmit packet; comparing said validation signature to said test signature (col. 13 lines 1-18); and if said test signature and said validation signature are not identical, terminating said flow (col. 13 lines 19-26).

Akiyama et al., does not explicitly disclose storing said validation signatures, however it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the device and method for controlling communication invention of Akiyama et al. to store validation signatures, instead of the disclosed communication numbers, as this modification would provide additional security to the data handled by the invention (col. 12 lines 9-33).

Regarding claims 2, 11, 19, 27, 35 and 43, Akiyama et al., does not explicitly disclose storing comprises retaining said validation signatures for a limited time, however it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the device and method for controlling communication invention of Akiyama et al. to store validation signatures, instead of the disclosed communication numbers, as this modification would provide additional security to the data handled by the invention (col. 12 lines 9-33).

Regarding claims 3, 12, 20, 28, 36 and 44, Akiyama et al., discloses wherein said hashing comprises computing a checksum from

said non-mutable field values (col. 11 lines 17-23).

Regarding claims 4, 13, 21, 29, 37 and 45, Akiyama et al., discloses wherein said hashing comprises computing a hash value from said non-mutable field values (col. 13 lines 48-59).

Regarding claims 5, 14, 22, 30, 38 and 46, Akiyama et al., discloses wherein said hashing comprises computing a strong hash value from said non-mutable field values (col. 13 lines 48-59).

Regarding claims 6, 15, 23, 31, 39, 47, Akiyama et al., discloses wherein said hashing comprises computing a cryptographically secure hash value from said non-mutable field values (col. 13 lines 48-59).

Regarding claims 7, 16, 24, 32, 40, 48, Akiyama et al., does not explicitly disclose said hashing comprises computing a LFSR checksum value using an internal state indicator and said non-mutable field values, however it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the device and method for controlling communication invention of Akiyama et al. to compute a LFSR checksum value, as this modification would provide additional security to the data handled by the invention (col. 12 lines 1-33

).

Regarding claims 8, 17, 25, 33, 41, 49, Akiyama et al., discloses wherein said hashing comprises computing a hash value using a secret number (col. 15 lines 37-59).

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chinwendu C. Okoronkwo whose telephone number is (571) 272 2662. The examiner can normally be reached on MWF 9:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571) 272 4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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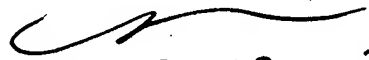
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CCO

September 12, 2007

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9,13,07